

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSHUA RIZACK, *et al.*,
Plaintiffs,

-v-

SIGNATURE BANK, N.A., *et al.*,
Defendants.

18-CV-9641 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On May 20, 2025, Plaintiffs’ counsel moved to withdraw as attorneys with respect to Plaintiffs Dennis Fogarty, Pat Fogarty, the Gordon Fund c/o Dennis Fogarty, Richard Kirshner, and Donald MacRitchie. Submitted by Steven R. Wirth and James W. Christian, the motion states: “All of the Plaintiffs’ attorneys – including, without limitation, Akerman LLP and its attorney, Steven R. Wirth, and Cristian Attar and its attorney, James W. Christian – respectfully request leave to withdraw as counsel of record” (ECF No. 53 at 1.)

Counsel for Plaintiffs are directed to clarify several issues with respect to this motion:

1. The other two attorneys for Plaintiffs, Alan Marshall Pollack and Arnold Mitchell Greene, shall clarify whether they are also moving to withdraw.
2. Entities may not appear *pro se* in this Court. *See Pridgen v. Andresen*, 113 F.3d 391, 393 (2d Cir. 1997). If all counsel for the Gordon Fund seek to withdraw, it must have new counsel appear or it may not proceed in this case.
3. Pursuant to Local Rule 1.4, withdrawing attorneys are required to state if they are asserting a charging lien.

Counsel for Plaintiffs are directed to file a new motion to withdraw addressing these issues on or before May 30, 2025.

SO ORDERED.

Dated: May 21, 2025
New York, New York



J. PAUL OETKEN
United States District Judge